

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHNAE RAJSHAN HOYT,

Plaintiff,

v.

NANCY CHAMBERLAIN, et al.,

Defendants.

No. 2:20-cv-1303 AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed a motion for default judgment claiming that defendant has failed to file a timely response to the complaint. ECF No. 18. Defendant waived service, ECF No. 16, and accordingly had sixty days from September 1, 2021, to respond to the complaint, see Fed. R. Civ. P. 12(a)(1)(A)(ii). However, on September 28, 2021, the undersigned referred this case to the Post-Screening ADR Project and stayed the case, including defendant's time to respond to the complaint. ECF No. 17. The case currently remains stayed, and the deadline for defendant to respond to the complaint therefore has not passed. Defendant is not in default and default judgment cannot be entered.

Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for default judgement, ECF No. 18, is DENIED.

DATED: October 25, 2021

  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE